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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

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10 BANK OF AMERICA, N.A.

11 Plaintiff,

12 vs.

13 SAMUEL R. BAILEY, an individual; PETE G.
14 AGUILAR, an individual; and DOES 1 through
10, inclusive,

15 Defendants.

CASE NO. 2:14-cv-00885-JCM-GWF

STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND DISCOVERY
DEADLINES

(FIRST REQUEST)

16 Pursuant to LR 6-1 and LR 26-4, the parties by and through their respective counsel of
17 record, hereby stipulate and request that this Court extend the Discovery Deadlines in the above-
18 captioned case. This is the parties' first request for an extension. In support of this Stipulation
19 and Request, the parties state as follows:

20 **A. DISCOVERY COMPLETED TO DATE.**

21 On April 30, 2015, Plaintiff Bank of America, N.A. ("Plaintiff" or "BANA") served its
22 FRCP 26 disclosures.

23 On April 30, 2015, Defendant Samuel Bailey ("Defendant" or "Bailey") served his FRCP
24 26 disclosures.

25 On June 16, 2015, Bailey propounded his First Request for Production on Plaintiff.
26 Bailey has agreed to extend the deadline to these responses to August 7, 2015.¹
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28 ¹ These new agreed to dates are based on being able to obtain an extension from the Court.

1 On July 6, 2015, Plaintiff propounded its First Set of Requests for Admissions, First Set
2 of Requests for Production and First Set of Interrogatories on Bailey.

3 On July 7, 2015, Plaintiff noticed the deposition of Defendant.

4 On July 8, 2015, Plaintiff noticed the depositions for the PMK of Meadows Bank and for
5 Pete G. Aguilar.

6 On July 22, 2015, Plaintiff agreed to extend Bailey's time for him to respond to these
7 discovery requests until August 21, 2015.

8 **B. DISCOVERY REMAINING TO BE COMPLETED.**

9 Each party needs to provide responses to the written discovery propounded on them as
10 addressed above.

11 The actual depositions as listed above further need to be taken.

12 Additionally, further depositions, including Plaintiff and other witnesses whose identities
13 will be determined by the written discovery still need to be taken.

14 **C. REASON FOR REQUEST FOR EXTENSION OF DISCOVERY DEADLINES.**

15 The parties respectfully request and good cause exists for the discovery deadlines to be
16 extended because:

17 (1) The parties initially invested some time and effort in determining and
18 exploring settlement/mediation as a viable option.

19 (2) There has been significant difficulty in scheduling depositions simply due
20 to counsels' and the parties' schedules during the summer.

21 (3) Some of the information needed to schedule the depositions and obtain
22 written discovery from Defendant has been slowed because Defendant was on vacation during
23 the summer.

24 **D. PROPOSED SCHEDULE.**

25 The discovery cut-off will be moved from its current date of August 17, 2015 to
26 **September 30 2015.**

27 An Interim Status Report will be filed no later than 60 days before the discovery cut-off
28 date, that being **July 31, 2015.**

The last day to file expert witnesses will be 60 days before the discovery cut-off date, that being **July 31, 2015**.

The last day to file rebuttal expert witnesses will be 30 days after the initial expert witnesses disclosure, that being **August 31, 2015**.

The last day to file dispositive motions will be 30 days thereafter on **October 30, 2015**.

The last day to file a joint pretrial order will be **November 30, 2015**, or in the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after a decision on the dispositive motions.

The last day to file any motion or stipulation to extend any date set by this discovery plan and scheduling order or any other order of this Court shall be filed no later than 21 days before the subject deadline.

All other dates as provided in this Court's April 21, 2015 Stipulated Discovery Plan and Scheduling Order (Dkt. No. 27) shall remain in effect.

Dated this 23rd day of July, 2015

HOLLEY DRIGGS WALCH FINE
WRAY PUZEY & THOMPSON

By: /s/ Rachel E. Donn, Esq.
Glenn F. Meier, Esq. (SBN 006059)
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Attys for Plaintiff - Bank of America, N.A.

Dated this 23rd day of July, 2015

BLACK & LOBELLO

By: /s/ Maximiliano D. Couvillier, Esq.
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Las Vegas, NV 89135
Attorneys for Defendant- Samuel R. Bailey

ORDER

IT IS SO ORDERED.

DATED this 24th day of July, 2015.


UNITED STATES MAGISTRATE JUDGE

1 Submitted by:

2 HOLLEY DRIGGS WALCH FINE
3 WRAY PUZEY & THOMPSON

4 By: /s/ Rachel E. Donn, Esq.

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